

EXHIBIT 43

Letter dated January 25, 1933 to William J. Post, Director of Irrigation, from Commissioner of Indian Affairs

Irrigation

JJ

Denver J.D.

Mr. William S. Post,

JAN 25 1933

Director of Irrigation.

Dear Mr. Post:

As determined at a conference in my office at which were present Superintendent Garrett, Mr. Dodd, Mr. Ships and yourself, you will consider the following as the policy of the Indian Service on the Walker River Irrigation Project, Nevada:

1. The Service will ultimately ask for appropriations to develop regulatory storage of the Walker River for use on the Walker River Reservation to provide annual regulation of whatever waters are present in the river sufficient to serve the area of the Indian project now under constructed ditches and extensions thereof.

2. As the regulatory storage of the so-called Webber site, according to your presentation and memorandum of December 12, 1932, appears necessary for proper water service irrespective of the outcome of the pending litigation in Federal Court and is equally usable in regulating flood rushes regardless of the final outcome of that litigation, the proposal for this reservoir is for this purpose tentatively approved along the lines of your recommendation in the attached technical memorandum which in part reads as follows:

Webber Reservoir Site (Plan B)

Height	30 feet
Capacity	6200 acre feet
Cost	\$130,000

Type - Reinforced Jack Dam with 350-foot spillway section

Gates - Two 3 feet x 3 foot sluice gates and one 6 x 6 canal gate.

This tentative approval, however, in view of the pending water right litigation dealing materially with the rights of these Indians and the limitations imposed on new projects by the Act of April 4, 1910 (36 Stat. L. 270), is upon the basis that no action will be taken by you that in any way may be interpreted by the defendant in such litigation, or others, as

action on our part indicating our giving up of any of the rights of the Walker River Indians claimed for them in that litigation unless and until future action by the Federal courts or Congress determines otherwise.

Sincerely yours,

(Signed) C.J. Rhoads

Commissioner.

1-28-17

Copy to Mr. Dodd
Extension
Denver Field Office
Supv. Eng. Holt
Walker River Agency
Project Engineer Kronquist.

Incl. 187187.

U. S. IRRIGATION SERVICE

RECEIVED

JAN 26 1933

DIRECTOR OF IRRIGATION
FIELD OFFICE